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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Our Case No. 115/453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lawrence I Bell et al.

Serial No. 09/997,392

Filing Date: November 28, 2001

For

CHEESE FRACTIONATING PROCESS

Examiner: Unassigned

Group Art Unit No. 1761

PETITION FOR CORRECTION OF FILING DATE

Commissioner for Patents

Washington, D.C. 20231

ATTN: Office of Patent Legal Administration

Dear Sir:

Applicants petition for correction of the filing date of the present application, 09/997,392, filed on November 28, 2001, for a Cheese Fractionating Process.

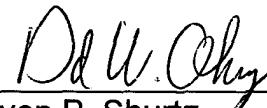
The application was properly filed under 37 C.F.R. § 1.10. Accordingly, the filing date of the application should be the date that the application was deposited as "Express Mail" in the U.S. Mail Service, November 28, 2001.

The application was deposited on November 28, 2001 as Express Mail Post Office to Addressee, with Express Mail Certificate No. EL 562416320US,

addressed to the Commissioner for Patents. A copy of the receipt for this Express Mail certificate is attached as Exhibit A, the receipt clearly marked "11 28 01" by the Post Office receiving clerk. The post card received back from the Patent Office for this application, Exhibit B, was incorrectly dated "11/29/2001". A copy of the post card is attached. Both the post card and the Express Mail receipt were marked with the Attorney Docket No. for this case, "115/453". Attached also as an exhibit is the front cover of the patent application, Exhibit C, properly marked with the Express Mail certificate number and the filing date of November 28, 2001. Exhibit D is the Patent Application Transmittal Letter, also marked with the filing date of November 28, 2001, and the Express Mail certificate number.

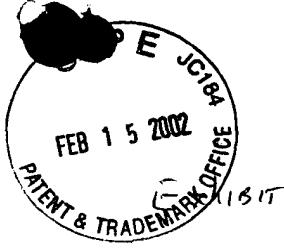
Accordingly, Applicants petition the Patent Office to issue a corrected filing receipt listing the Filing Date as 11/28/2001. Applicants believe that no petition fee is due because the proper procedures were followed, and the error seems to be merely a mistake on the part of the Patent Office. Nevertheless, the Commissioner is hereby authorized to charge any fees required to Deposit Account No. 23-1925.

Respectfully submitted,



Steven P. Shurtz
Registration No. 31,424
David W. Okey
Registration No. 42,959
Attorneys for Applicants

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Exhibit "B"



Case No. 115/453
Applicant LAWRENCE I. BELL et al.

Director of The United States Patent & Trademark Office
Washington, D.C. 20231

JC580 U.S. PTO
09/997392

11/28/01

Please acknowledge receipt of the below-identified:

Serial No: **Applied for**

Serial No. Applied for
Transmittal letter (in dup.); 13 sheets of drawings, 26 pages of application (including title page); Declaration; Power of Attorney; Assignment transmittal letter; Assignment; Request and Certification; Information Disclosure Statement; Form PTO-1449; 14 cited references; checks for \$1,568 and \$40; and return post card.

BRINKS HOFER GILSON & LIONE
By: David W. Okey, Reg. No. 42,959

DATE OF MAILING: NOVEMBER 28, 2001

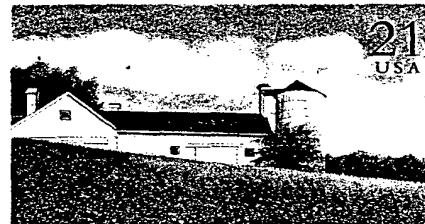
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Volume 28, Number 11 November 2001

EXHIBIT "C"

"Express Mail" mailing label number EL562416320US

Date of Deposit: November 28, 2001



Our Case No. 115/453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATION FOR U.S. LETTERS PATENT

INVENTORS: Lawrence I. Bell
Green Bay, WI

Randall L. Brandsma
Green Bay, WI

TITLE: CHEESE FRACTIONATING
PROCESS

ATTORNEYS: Steven P. Shurtz
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